

No: 7:11-CR-00117-BR

V.

Defendant.


ORDER

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defendant “failed to set forth specific factual allegations in support of a § 2255 motion which would enable the court to determine whether it was frivolous, and . . . has not established that he needs the copies of court documents and transcripts to set forth in summary form the facts in support of a § 2255 claim”)).

Again, Defendant has failed to make a particularized showing of need for the requested documents. Thus, “[t]o grant [Defendant’s] request at this juncture would only encourage a ‘fishing expedition’ by [D]efendant at the expense of the government.” *Anderson*, 1997 WL 138970, at *5. However, as the court stated in its previous order, Defendant may be able to show a particularized need for the requested documents in the future. *See United States v. McLean*, No. 5:10-CR-00125-H, 2011 WL 5870045, at *1 (E.D.N.C. Nov. 22, 2011) (unpublished) (denying a motion for reconsideration and noting that “[o]nce Defendant has commenced a Section 2255 proceeding, discovery may thereafter be available and that if [Defendant] qualifies for *in forma pauperis* status, he may be eligible to receive copies of the transcripts at the Government’s expense at that time”). Accordingly, Defendants’ motion is DENIED at this time.

SO ORDERED, this 9 day of February 2016.


Robert B. Jones, Jr.
United States Magistrate Judge